

REMARKS

The present communication is responsive to the Office Action mailed June 9, 2008, rejecting all of the claims pending in the application. Claims 1, 2, and 4-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Goldschmidt Iki et al. (U.S. Patent No. 6,594,825) ("Goldschmidt"), in view of Chernock et al. (U.S. Patent No. 6,314,569) ("Chernock"), in further view of Lownes et al. (U.S. Patent No. 6,137,539) ("Lownes"). Applicant respectfully disagrees. Independent claims 1, 7 and 12 and dependent claims 5, 8-11, and 18-20 have been amended to clarify the meaning of the claims. Applicant requests that the Examiner reconsider the claims in view of the amendments and remarks herein.

Applicant's invention of claim 1 is an audio and/or video signal transmission system for transmitting an audio and/or video signal between a transmitting peripheral apparatus and a receiving apparatus. The system in part includes:

the audio and/or video signal transmitting peripheral apparatus including analog audio and/or video signal generating means for generating an analog audio and/or video signal, digital audio and/or video signal generating means for generating a digital audio and/or video signal, analog output means for outputting said analog audio and/or video signal, information generating means for generating a digital information signal containing information identifying a type of said transmitting peripheral apparatus and indicating a format type of said analog audio and/or video signal or said digital audio and/or video signal, a multiplexing circuit for multiplexing the digital information signal and the digital audio and/or video signal and producing a multiplexed digital signal, and a digital input/output means for inputting/outputting said multiplexed digital signal, and

Applicant respectfully suggests that there appears to be some confusion in the Examiner's understanding of applicant's system at least with respect to this element of the claim. For

example, Examiner appears to rely on some inherent *Goldschmidt* disclosure of broadcast transmitters "to supply the satellite input 126 and other inputs 124, 128, 134." (Office Action at 3.) Such broadcast transmitters are not contemplated by Applicant's system. As disclosed by Applicant, transmitting apparatuses are contemplated as devices that are peripheral to a viewing screen or monitor such as VCRs, set top boxes (STB) and other recording/reproduction apparatuses as disclosed in the specification. (See, e.g., Applicant's Specification at p. 17, line to page 18, line 24.) Claims 1, 5, 7-12, and 18-20 are amended to clarify this issue.

Additionally, Applicant respectfully submits that *Goldschmidt* does not disclose "information generating means for generating a digital information signal containing information identifying a type of said transmitting peripheral apparatus and indicating a format type" of the signal supplied by the transmitting apparatus within the "transmission apparatus". (emphasis added.) The Examiner states that:

The transmitting apparatuses or sources provide signals indicating the type of the transmitting apparatus or source (i.e. video recorder/playback device, digital video disk (DVD), compact disk (CD), etc.) and the signal format of the audio and/or video signal, which are unique to the specific transmitting apparatus or source, where the information is sent to system controller 104 (Fig. 1)/system controller 200 (Fig. 2) and the information is processed for output on a display device as an EPG [electronic programming guide] as seen in Fig. 4, which shows a source identifier 402, a transport medium / format at 404 and alternatively an audio format at 406.

(Office Action at 4.) The Examiner also states that "the type of audio and/or video source or signal transmitting apparatus (i.e., 'DVD') and the format type of the output video signal (i.e., 'ANALOG' or 'DIGITAL'), . . . is generated and provided from each transmitting apparatus or source" such as video

recorder/playback 106 or compact disc player 112. (Office Action at 4.) However, the only cited paragraphs for these positions taken by the Examiner appears to be specifically in col. 6, line 66 to col. 7, line 11 and col. 7, line 29 to col. 8, line 3. Applicant respectfully submits that the relied on references do not teach or suggest such a generation of such information in a peripheral transmitting device as claimed by Applicant.

In fact, no such generation and transmission of information is disclosed from the video recorder/playback 106 or compact disc player 112 because the centralized system controller 104 and 200 alone identifies the devices within the system, which is done before receiving any audio and/or video signal from the transmitter peripheral devices in order to use device controller 204. To this end, the device controller 204 "controls the various components within the entertainment system". (See *Goldschmidt*, col. 5 lines 38-39; see also col. 7 56-59 ("system controller 104 of FIG. 1 activates and 'tunes' the appropriate devices, as necessary, for the identified source to be displayed on display device". (emphasis added). In other words, the controller does not need source and format information generated from the peripheral transmitter apparatus of the system because it has that information in its own stored data so it can control the devices. Moreover, *Goldschmidt* is not disclosing a transmission of source and format information from the peripheral transmitter devices because the content of the EPG 212, as displayed in FIG. 4, is actually stored on a storage device by the controller "within the entertainment system". (*Goldschmidt*, col. 5 lines 44-46.) Thus, *Goldschmidt* is not teaching that an EPG transmission containing source and format information is generated in the peripheral transmitter apparatus.

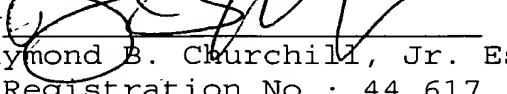
Accordingly, it is respectfully submitted that the Examiner has not set for a *prima facie* case of obviousness for claim 1. Thus, Applicant submits that the claims are in condition for allowance. For reasons similar to those previously described with regard to claim 1, it is also respectfully submitted that independent claims 7 and 12, as well as their dependent claims, are also in condition for allowance.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional rejections and/or objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: November 17, 2008

Respectfully submitted,

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